

~~UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT~~

ROSS JAY LAWSON V. SHERIFF KEN JENNE, WILLIAM HITCHCOCK,
BROWARD COUNTY DEPARTMENT OF CORRECTIONS
AND REHABILITATIONS, ET. AL.

CASE NO: 00-6009-CIV-DIMITROULEAS

Motion and Affidavit/Declaration for Leave to Proceed
in Forma Pauperis

INSTRUCTIONS: File with petition for review or notice of appeal if you do not pay the fee.

Petitioner hereby moves for leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915, in this case and submits the following affidavit/declaration in support thereof:

I ROSS JAY LAWSON, am the (Petitioner) (Appellant) in the above-entitled case. In support of my motion to proceed on appeal without being required to pay the docketing fee, I state that I am unable to pay the fee because of my poverty; that I believe I am entitled to redress; and that the issues which I desire to present on appeal are the following:

Plaintiff wishes to appeal the "ORDER APPROVING, IN PART, REPORT AND RECOMMENDATION AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDG.

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the docketing fee are true.

1. Are you presently employed? Yes No

A. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

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B. If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received.

I have been in custody since 7/17/97 and have no money in savings.

2. Have you received within the past 12 months any income from a business, profession, other form of self-employment, rent payments, interest, dividends, retirement, annuity payments, alimony, welfare, social security, disability compensation, workmen's compensation, or any other source? Yes No If the answer is yes, describe each source of income, and state the amount received monthly from each during the past 12 months.
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3. Do you own any cash or have any checking or savings accounts? Yes No If the answer is yes, state the total amount of cash owned and the average monthly balance in any account.
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4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No If the answer is yes, describe the property and state its approximate value.
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5. List the persons who you actually support and state your relationship to those persons. If others also contribute to those persons' support, then explain the degree of your support.

I AM UNABLE TO SUPPORT MYSELF LET ALONE ANYONE ELSE, I HAVE BEEN IN JAIL SINCE 1/17/97.

6. Have you ever filed a motion in this court for leave to proceed in forma pauperis in any other appeal? Yes No If the answer is yes, state the name and docket number of the appeal.

NEVER FOR AN APPEAL, BUT FOR THE FILING FEE OF THE ORIGINAL PLEADINGS YES.

7. Have you retained an attorney to represent you? Yes No

8. Are you presently incarcerated? Yes No If the answer is yes, state the name and address of the correctional institution where you are incarcerated.

BROWARD COUNTY MAIN JAIL P.O. BOX 9356 FORT LAUDERDALE, FLORIDA 33310.

July 5, 2001
Date

Ross Jay Lawson
Petitioner's/Appellant's signature

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct.

July 5, 2001
Date

Loss Jay Lawson
Petitioner's/Appellant's signature

ORDER OF THE COURT

The motion to proceed in forma pauperis is DENIED. The docketing fee must be paid within 14 days.

The motion to proceed in forma pauperis is GRANTED. Let the applicant proceed without prepayment of the docketing fee.

Circuit Judge

Date

Circuit Judge or Clerk

Date